

REMARKS

A. Background

Claims 1-60 were pending in the application. The Office Action rejected claims 1-60 under 35 U.S.C. 101 based on nonstatutory double patenting. The Office Action stated that the rejection could be overcome by filing a Terminal Disclaimer.

The office action also stated: "Claims 1-60 are not rejected over the prior art. The art does not disclose an arrow head having a first cutting edge, second cutting edge; a facet between the first and second cutting edges; and a bevel extending from the cutting edge to the facet, the bevel and facet intersecting at a corner." (page 3 of the office action).

By this response, applicant has filed a terminal disclaimer, and added new claims 61-97 as presented herein for the Examiner's consideration in view of the following remarks.

B. New Claims

New claims 61-97 are supported by the FIGS, the allowed claims 1-60, as well as by the application as originally filed and thus do not incorporate new matter. Entry thereof is respectfully requested.

New claim 61 recites: “An arrowhead as recited in claim 7, wherein the primary facet portion has a substantially V-shaped configuration.” Since new claim 61 depends from allowed claim 7 and incorporates all the limitation thereof, new claim 61 is allowable for at least the same reasons. New claim 61 has supporting disclosure in the application as originally filed at least by FIG. 26.

New claim 62 is the same as new claim 61, except it depends from claim 36. New claim 62 is allowable for at least the same reasons as is new claim 61. New claim 62 also has supporting disclosure in the application as originally filed at least by FIG. 26.

The office action states: "Claims 1-60 are not rejected over the prior art. The art does not disclose an arrow head having a first cutting edge, second cutting edge; a facet between the first and second cutting edges; and a bevel extending from the cutting edge to the facet, the bevel and facet intersecting at a corner." (second paragraph of page 3 of the office action).

New independent claim 63 recites:

63. An arrowhead comprising:
- a body extending from a forward end to an opposing rearward end;
 - a first cutting edge and a second cutting edge disposed at the forward end of the body; and
 - a first facet extending between the first cutting edge and the second cutting edge, the first facet comprising:
 - a primary facet portion at least partially disposed between the first cutting edge and the second cutting edge; and
 - a first bevel extending from the first cutting edge to the primary facet portion along at least a portion of the length of the first cutting edge, the first bevel and primary facet portion intersecting at a bevel boundary forming a corner.

New claim 63, is allowable for at least the reasons as stated in the second paragraph of the third page of the office action (recited above). Applicant respectfully requests entry thereof. New claim 63 is supported by the FIGS, and the application as originally filed and does not incorporate new matter.

New claims 64-83 depend from new independent claim 63 and thus incorporate the limitations thereof. As such, applicant respectfully submits that new claims 64-83 are distinguishable over the prior art for at least the same reasons as discussed above with respect to new claim 63, and respectfully request allowance thereof. New claims 64-83 are supported by the FIGS, and the application as originally filed and do not incorporate new matter.

New independent claim 84 is identical to new independent claim 63 (previously discussed), except for the limitation that the primary facet portion is “substantially V-shaped”. The V-shaped configuration has supporting disclosure in the application as originally filed at least by FIG. 26. New claim 84 does not introduce new matter and is allowable for at least the reasons as is new claim 63. Applicant respectfully requests allowance and entry thereof.

New claims 85-97 depend from new independent claim 84 and thus incorporate the limitations thereof. As such, applicant respectfully submits that new claims 85-97 are distinguishable over the prior art for at least the same reasons as discussed above with respect to claim new 84, and respectfully request allowance thereof. New claims 85-97 are supported by the FIGS, and the application as originally filed and do not incorporate new matter.

The applicant respectfully submits that the foregoing new claims are supported in the specification as originally filed and do not present new matter. In view of the foregoing, the prior art does not disclose or suggest the invention as recited in new claims 61-97. As such, the applicant respectfully requests entry thereof.

C. Rejections on the Merits

Paragraphs 1-6 of the Office Action rejected claims 1-60 under statutory double patenting in view of claims 1-55 of prior U.S. Patent No. 6,077,179. By this response applicant has filed a Terminal Disclaimer to overcome the nonstatutory double patenting rejection. No other objections or rejections were set forth in the Office Action.

D. Conclusion

In view of the forgoing, applicant respectfully requests the Examiner's allowance of new claims 61- 97as presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this ____ day of _____, 2004.

Respectfully submitted,

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